UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

In Re:

AFFIDAVIT OF SERVICE

FERREL L. AGARD,

Chapter 7

Debtor.

Case No. 10-77338-REG

STATE OF NEW YORK) COUNTY OF ONONDAGA) ss.:

Susan Mulvihill, being duly sworn, deposes and says that she is not a party to the above action, is over 18 years of age and resides at Fabius, New York. On December 10, 2010, deponent served an Order to Show Cause for Emergency Application to Intervene and a Motion to Intervene in Contested Matter on the following at the addresses designated by said attorneys for that purpose:

United States Trustee Long Island Federal Courthouse 560 Federal Plaza, Room 560 Central Islip, NY 11722-4437 Attn: Alfred Dimino, Esq. Facsimile: (631)715-7777 Robert L. Pryor, Trustee Pryor & Mandelup LLP 675 Old Country Road Westbury, NY 11590 Facsimile: (516)333-7333 George Bassias, Esq. 21-83 Steinway Astoria, NY 11105 Facsimile:(718)721-7981

10 000 14 S. R. (10)

Amy Polowy, Esq. Law Office of Steven J. Baum 220 Northpointe Parkway, Suite G Amherst, NY 14228 Facsimile: (716) 204-4612

Thomas A. Connop, Esq. Locke Lord Bissell & Liddell LLP 2200 Ross Avenue, Suite 2200 Dallas, TX 75201-6776 Facsimile: (214) 756-8547

by depositing same, enclosed in a properly addressed wrapper, into the custody of UPS, an overnight delivery service, for overnight delivery, prior to the latest time designated by UPS for overnight delivery and by facsimile to the numbers listed herein.

Susan Mulvihill

Subscribed and sworn to before me this 10th day of December, 2010.

Notary Public

LORI L. McROBBIE

Notary Public, State of New York

Qualified in Onondaga Co. No. 01MC5055591

Commission Expires on Feb. 12, 20

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